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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,690	04/04/2001	Eric Auffret	PF000030	3591

7590 06/03/2004
Thomson Multimedia Licensing Inc.
Patent Operation
Two Independence Way
P.O. Box 5312
Princeton, NJ 08543-5312

EXAMINER

DIEP, NHON THANH

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 06/03/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/825,690

Applicant(s)

AUFFRET, ERIC

Examiner

Nhon T Diep

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 and 15-19 is/are allowed.
- 6) ☒ Claim(s) 10-14 is/are rejected.
- 7) ☒ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2; 4/4/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated (see spec. pages 20-21). See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 10 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Zwahlen et al (US 5,854,654) and as cited by the applicant.

Zwahlen et al discloses a system and method for high frequency transmission of television shots comprising the same video camera comprising a transmitter for sending images by radio frequency and identification means which transmits a locating signal for locating the camera; and locating signal identifies a camera from amongst several cameras (figs. 1 and 4, and col. 4, ln. 13-22 and 56-62) as specified in claims 10 and 14.

Claim Rejections - 35 USC § 103

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4. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zwahlen et al, in view of Theimer et al (US 5,793,630).

As applied to claim 10 above, it is noted that Zwahlen et al fails to particularly disclose that the identification signal is of an optical means of visible or infrared emitter as specified in claim 11-13. Theimer et al teaches that optical means can be used to emit visible light or infrared light so a receiving device can track its transmitting signals (col. 2, ln. 30-39) and therefore, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the system of Zwahlen et al by using emitting visible light or infrared light for identifying a camera amongst several cameras

Allowable Subject Matter

5. Claims 1-9 and 15-19 are allowed.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Rice (US 5,347,387) discloses a self-aligning optical transceiver.
- b. Tallman et al (US 6,175,308) discloses a personal duress security system.
- c. Richley et al (US 6,542,083) discloses an electronic tag position detection using radio broadcast.
- d. Sword *US 6,122,967) discloses a free motion scanning system.

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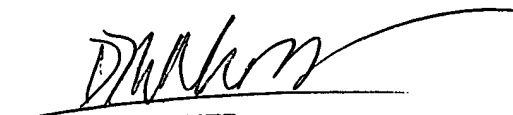
e. Verna (US 6,681,398) discloses systems, devices and methods for reviewing selected signal segment.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T Diep whose telephone number is 703-305-4648. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S Kelley can be reached on 703 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ND
27 May 2004


NHON DIEP
PRIMARY EXAMINER